

January 17, 2003

PROVISION OF HOSPITAL AND OUTPATIENT CARE TO ENROLLED VETERANS

1. PURPOSE: This Veterans Health Administration (VHA) directive outlines departmental policy and procedures for implementing changes resulting from the Department of Veterans Affairs (VA) Interim Final Regulation governing Provision of Hospital and Outpatient Care to Veterans.

2. BACKGROUND

a. By law, VA is required to maintain an annual enrollment system for managing the provision of quality hospital and outpatient medical care and treatment to all enrolled veterans. VA is required to manage enrollment within its eight enrollment priority categories, and announce in the Federal Register which priority groups of veterans VA will accept for enrollment in the VA Health Care System.

b. On January 17, 2003, VA announced in the Federal Register that VA will enroll all priority groups of veterans, except those veterans in Priority 8 who were not in an enrolled status on January 17, 2003, or who requested disenrollment on or after that date. This Interim Final Rule amends VA's medical regulations by establishing the following new subpriorities for enrollment Priorities 7 and 8:

(1) Non-compensable 0 percent service connected veterans who are in an enrolled status as of January 16, 2003, and who subsequently do not request disenrollment. **NOTE:** *For operational purposes, this will be known as Priority 7a and Priority 8a.*

(2) Non-service connected veterans who were in an enrolled status as of January 16, 2003, and who subsequently do not request disenrollment. **NOTE:** *For operational purposes, this will be known as Priority 7c and Priority 8c.*

(3) Non-compensable 0 percent service connected veterans not included in Subpriority a as shown in preceding subparagraph 2b(1). **NOTE:** *For operational purposes, this will be known as Priority 7e and Priority 8e.*

(4) Non-service connected veterans not included in Subpriority c as shown in preceding subparagraph 2b(2). **NOTE:** *For operational purposes, this will be known as Priority 7g and Priority 8g.*

c. Software is being developed for Veterans Health Information Systems and Technology Architecture (VistA) and Health Eligibility Center (HEC) systems to support the Secretary's decision to suspend new enrollments of veterans in Priority 8. This software is expected to be released in March 2003. The software will include functionality to:

(1) Assign the veteran to the correct enrollment sub-priority.

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(2) Reject enrollment when a veteran applies for enrollment on or after January 17, 2003, and is in Priority 8e or Priority 8g.

(3) Transmit the Rejected enrollment status to the HEC.

(4) Activate the Rejected – New Applicant Below the Enrollment Group Threshold letter for mail-out from the Austin Automation Center (AAC).

3. POLICY: It is VHA policy to comply with the decision of the Secretary of Veterans Affairs to suspend enrolling new applicants in Priority Group 8.

4. ACTION: Implementation of the Enrollment Level Decision

a. Veterans assigned to Priority 8 who have completed their VA Form 10-10EZ, Application for Health Benefits, and submitted it to VA (or whose mailing envelope is postmarked) prior to January 17, 2003, will be considered to have enrolled prior to the enrollment decision date. It is imperative that sites immediately implement procedures to retain the envelope in which the veteran's VA Form 10-10EZ was submitted to VA as verification of the veteran's application date. The envelope must be attached to the VA Form 10-10EZ, and filed in the veteran's Consolidated Health Record (CHR).

(1) For veterans who mail their VA Form 10-10EZ to a VA health care facility for processing, the date of the postmark is to be entered into VistA as the date of enrollment application.

(2) For veterans who complete their VA Form 10-10EZ online, the date the form is completed online is to be entered into VistA as the date of enrollment application.

(3) For veterans who apply for enrollment in person, the date of the veteran's presence at the facility for the purpose of enrollment is to be entered into VistA as the date of enrollment application.

b. Until the software enhancements are deployed, VA health care facility staff must implement the following manual procedures to identify and restrict enrollment of new veterans in Priority 8 effective January 17, 2003.

(1) When a veteran applying for enrollment is placed in Priority 8, VA health care facility staff must enter the date of application in the Ineligible Date Field and enter "Priority Group 8" in the Ineligible Reason Field.

(2) If the veteran is applying in person, VA health care facility staff must advise the veteran that VA is not accepting new enrollees in this priority and provide the veteran a VA Form 4107VHA, "Your Rights to Appeal Our Decision," and the nationally developed Enrollment Decision Frequently Asked Questions (FAQ) prior to the veteran's departure from the medical facility. **NOTE:** A copy of the FAQ is included as Attachment B.

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c. When a veteran applies in person, VA must triage the veteran to rule out emergent medical conditions. Veterans with an emergent medical condition are to be provided treatment under VA's humanitarian authority. The veteran must be informed of the conditions under which care will be provided and documentation of the discussion must be placed in the CHR.

d. Veterans in need of health care services who are not eligible for enrollment and who request assistance accessing care in the community need to be referred to Social Work for assistance.

e. When software is available, the HEC staff will delete the Ineligible Date and Ineligible Reason field information entered in VistA and mail veterans assigned to Priority 8e or 8g four items : a letter, "New Applicant Below the Enrollment Group Threshold;" VA Form 4107VHA, "Your Rights to Appeal Our Decision;" Enrollment Decision Frequently Asked Questions (FAQ); and the Enrollment Priority Groups Health Care Fact Sheet. **NOTE:** *Copies of the letter (see Att. A), the FAQ (see Att. B) and the Enrollment Priority Groups Fact Sheet (see Att. C) are included with this Directive.*

f. As per existing software functionality, removal of the Ineligible Date and Reason field information from a non-service connected veteran's record will cause an Eligibility Alert Message to be sent to the VistA DGEN ELIGIBILITY ALERT mail group. This Eligibility Alert informs the VA health care facility mail group members that the period of service needs to be reviewed and updated as appropriate.

5. REFERENCES: Title 38 Code of Federal Regulations 17.36.

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Officer is responsible for the content of this directive. Questions may be addressed to 202-254-0400.

7. RESCISSION: This VHA directive will expire on January 31, 2008.

S/ Louise Van Diepen for
Robert H. Roswell, M.D.
Under Secretary for Health

Attachments

DISTRIBUTION: CO: E-mailed 1/17/03
FLD: VISN, MA, DO, OC, OCRO, and 200 – E-mailed 1/17/03

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ATTACHMENT A

**SAMPLE LETTER BEING SENT CENTRALLY FROM
THE HEALTH ELIGIBILITY CENTER (HEC)**

NEW APPLICANT BELOW THE ENROLLMENT GROUP THRESHOLD LETTER

Dear <TITLE> <LAST NAME>,

Each year, the Secretary of the Department of Veterans Affairs (VA) determines which priority groups will be enrolled in the VA health care system. In order to ensure VA's ability to provide already enrolled veterans timely access to health care services, the Secretary has made the difficult decision to suspend enrolling new applicants in Priority Group 8. We regret to inform you that as a veteran in Priority Group 8<_x_>, VA is unable to enroll you at this time.

How This Affects You

- You are still eligible to receive care for your service connected conditions at no cost to you.
- You are not eligible to receive care for your non-service connected conditions.

What You Can Do If You Disagree With This Decision

Follow the instructions on the enclosed VA Form 4107VHA, "Your Rights to Appeal Our Decision." Return your Notice of Disagreement to the Enrollment Coordinator at your local VA health care facility.

If You Have Questions

See the enclosed material for more information. If you have any questions, please contact the VA Health Benefits Service Center at the toll-free number, 1-877-222-VETS (8387). You can find additional information on eligibility and enrollment on VA's web site at www.va.gov/elig.

Sincerely,

Gary M. Baker
Director, Health Eligibility Center

Enclosures

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ATTACHMENT B



VA ENROLLMENT DECISION

FREQUENTLY ASKED QUESTIONS

By law, the Department of Veterans Affairs (VA) is required to maintain an annual enrollment system for the hospital and outpatient medical care of enrolled veterans. Based on the most recent enrollment decision, the Secretary of VA announced a new regulation that ensures priority health care for severely disabled veterans and suspends enrollment for veterans in the lowest priority group. Information on the eight enrollment priorities can be found on the reverse side of this form.

I was advised that VA is no longer accepting new higher income veterans for enrollment. Is this true? VA will be suspending enrollment for new Priority Group 8 veterans on January 17, 2003. While we regret this change, it is necessary to ensure the provision of high quality health care. If VA's situation changes, we will notify the veteran community of our amended decision through public announcements, veteran service organizations, and through other outreach efforts.

If I cannot be enrolled, will I still be eligible for VA hospital and outpatient care? You will still be eligible for hospital and outpatient care for:

- ☐ Conditions related to military sexual trauma or from exposure to Agent Orange, ionizing radiation, or environmental contaminants
- ☐ Head or neck cancer related to nose or throat radium treatment while in the military
- ☐ Treatment related to service-connected conditions

You may wish to contact your VA health care facility to learn if any other exceptions apply to you.

What happens if I am not enrolled in the VA health care system and I request VA medical care? If VA determines you have a condition requiring immediate treatment, VA will provide you services on a humanitarian basis. Please note, VA must charge you a usual and customary fee for such care.

What if I'm catastrophically disabled? If you have a permanent, severely disabling injury or condition that compromises your ability to carry out the activities of daily living and require you to use personal or mechanical assistance to leave home or bed or require constant supervision to avoid physical harm, you may be catastrophically disabled. To request an evaluation, contact the Enrollment Coordinator at your local VA health care facility. If it is determined that you are catastrophically disabled, you will be assigned to Priority 4; however, if you previously made co-payments you will still be responsible for those co-payments after moving to Priority 4.

Are there any special benefits for recently discharged combat veterans? Yes, recently discharged veterans who served in combat locations can receive health care for conditions potentially related to their service for two years after their release from service. If you believe you qualify for this enhanced benefit, please contact the Enrollment Coordinator at your local VA health care facility.

Who can I contact for questions concerning my enrollment priority or eligibility for VA health care? For more information about enrollment and your eligibility for VA health care, contact your local VA health care facility, or call VA's Health Benefits Service Center toll-free at 1-877-222-VETS (8387). Information is available on the Internet at www.va.gov/elig.

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ATTACHMENT C



Enrollment Priority Groups Health Care Fact Sheet

VA Health Care Enrollment Priority Groups

Enrollment Priority 1

- Veterans with service connected disabilities rated 50% or more disabling

Enrollment Priority 2

- Veterans with service connected disabilities rated 30% or 40% disabling

Enrollment Priority 3

- Veterans who are former POWs
- Veterans awarded the Purple Heart
- Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty
- Veterans with service connected disabilities rated 10% or 20% disabling
- Veterans awarded special eligibility classification under Title 38, U.S.C., Section 1151, "benefits for individuals disabled by treatment or vocational rehabilitation"

Enrollment Priority 4

- Veterans who are receiving aid and attendance or housebound benefits
- Veterans who have been determined by VA to be catastrophically disabled

Enrollment Priority 5

- Non-service connected veterans and non-compensable service connected veterans rated 0% disabled whose annual income and net worth are below the established VA Means Test thresholds
- Veterans receiving VA pension benefits
- Veterans eligible for Medicaid benefits

Enrollment Priority 6

- World War I veterans
- Mexican Border War veterans
- Veterans solely seeking care for disorders associated with:
 - exposure to herbicides while serving in Vietnam; or
 - exposure to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki; or
 - for disorders associated with service in the Gulf War; or
 - for any illness associated with service in combat in a war after the Gulf War or during a period of hostility after November 11, 1998; or
 - Compensable 0% service connected veterans

Enrollment Priority 7

Veterans with income and/or net worth *above* the VA Means Test threshold and income *below* the HUD geographic index who agree to pay specified co-payments

- Subpriority a: Non-compensable 0% service connected veterans who were enrolled in the VA Health Care System on a specified date and who have remained enrolled since that date
- Subpriority c: Non-service connected veterans who were enrolled in the VA Health Care System on a specified date and who have remained enrolled since that date
- Subpriority e: Non-compensable 0% service connected veterans not included in Subpriority a above
- Subpriority g: Non-service connected veterans not included in Subpriority c above

Enrollment Priority 8

Veterans with income and/or net worth *above* the VA Means Test threshold and the HUD geographic index who agree to pay specified copayments

- Subpriority a: Non-compensable 0% service connected veterans enrolled as of January 16, 2003 and who have remained enrolled since that date
- Subpriority c: Non-service connected veterans enrolled as of January 16, 2003 and who have remained enrolled since that date
- Subpriority e: Non-compensable 0% service connected veterans applying for enrollment after January 16, 2003
- Subpriority g: Non-service connected veterans applying for enrollment after January 16, 2003

Additional Information:

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The term service-connected means, with respect to a condition or disability, that VA has determined that the condition or disability was incurred in or aggravated by military service. Some veterans may have to agree to pay copayments to be placed in certain priority groups.